

Notice of Allowability

Application No.

09/876,929

Examiner

Michael B. Holmes

Applicant(s)

PIRIM, PATRICK

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 14, 2005.
2. ☒ The allowed claim(s) is/are 1 and 3-41.
3. ☒ The drawings filed on 08 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/876,929.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



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Examiner's Detailed Office Action

1. Claim 2 has been canceled.
2. Claims 1, 3-41 are allowed.

REASONS FOR ALLOWANCE

3. The following is an Examiner's statement for reasons for allowance:
4. The closest prior art *Hashimoto et al.* (USPN 5,625,717), *Yasui et al.* (USPN 6,091,833) and *Ando* (USPN 5,008,946) does not teach or render obvious applicant's claimed invention. In particular, as pointed out below, the prior art lacks certain features and the combination as specified in the respective claims.
5. With regards to claim 1 *Hashimoto et al.*, *Yasui et al.* and *Ando* does not disclose in a processing device for each identifying regions of interest, incrementing a counter for each consecutive valid frame, and recording the center of gravity of each identified region of interest for each valid frame, where a counter is associated with each identified region of interest, and a counter value is incremented by one unit at each of successive frames from which the region of

interest is identified, and the value of each counter is reset to the first frame for which the corresponding region is not identified.

6. With regards to claim 19 *Hashimoto et al.*, *Yasui et al.* and *Ando* does not disclose first and second histogram calculation units receiving the signals and each generating a classification value, where the first unit receives a signal carrying a first temporal parameter and the second unit receives two spatial signals, where the classification value of the first unit validates a group of points in space that are processed by the second unit, the number of points being n_1 , the classification value of the second unit validating the parameter values processed by the first unit, where the units generate jointly a binary signal ZA representing a region of interest and a signal P representing the value of the temporal parameter in the region of interest.

7. With regards to claim 23 *Hashimoto et al.*, *Yasui et al.* and *Ando* does not disclose in a processing device for identifying regions of interest, incrementing a counter for each consecutive valid frame, and recording the center of gravity of each identified region of interest for each valid frame, where a counter is associated with each identified region of interest, and a counter value is incremented by one unit at each of successive frames from which the region of interest is identified, and the value of each counter is reset to the first frame for which the corresponding region is not identified.

8. With regards to claim 24 *Hashimoto et al.*, *Yasui et al.* and *Ando* does not disclose in a processing device for identifying regions of interest, incrementing a counter for each consecutive valid frame, and recording the center of gravity of each identified region of interest for each valid frame, and identifying a main region of interest, first and second histogram calculation units receive the signals and each generates a classification value, the first unit receiving a signal

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carrying a first temporal parameter and the second unit receiving two spatial signals, the classification value of the first unit validates a group of points in space that are processed by the second unit, the number of points being n1 the classification value of the second unit validating the parameter values processed by the first unit, wherein the units generate jointly a binary signal ZA representing a region of interest and a signal P representing the value of the temporal parameter in the region of interest.

Correspondence Information

9. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email Michael.holmesb@uspto.gov.

If you need to send an Official facsimile transmission, please send it to (703) 746-7239.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, Anthony Knight, may be reached at (571) 272-3687.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Michael B. Holmes

Patent Examiner
Artificial Intelligence
Art Unit 2121

Monday, April 11, 2005

MBH

United States Department of Commerce
Patent & Trademark Office


Anthony Knight
Supervisory Patent Examiner
Group 3600